

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-MV/LFG

RIO CHAMA STREAM SYSTEM  
Section 7, Village of Chama

M-B Ditch

**ORDER REVISING SUBFILE ORDERS  
ASSOCIATED WITH THE M-B DITCH**

THIS MATTER is before the Court on the motion of the plaintiff State of New Mexico, *ex rel.* State Engineer filed May 2, 2013 (Doc. No. \_\_\_\_\_) to revise all subfile orders entered in the Village of Chama subsection describing irrigation water rights under the M-B Ditch.

Having reviewed the Motion and being fully advised in the premises, I find the request to be well-taken, and that it should be granted.

IT IS ORDERED, THEREFORE, that all of the subfile orders entered in the Village of Chama subsection describing irrigation water rights under the M-B Ditch are revised to list the source of water for tracts irrigated by the M-B Ditch and the points of diversion for the M-B Ditch, as follows:

**Source of Water:** Surface water of the Rio Chama and the Rio Chamita, a tributary of the Rio Chama.

**Point of Diversion:**

**Ditch: M-B DITCH**

**Diversion 1:** Rio Chama

**Location X** = 1,546,909 feet

**Y** = 2,155,273 feet

**Diversion 2:** Rio Chamita

**Location X** = 1,540,798 feet

**Y** = 2,149,300 feet

New Mexico Plane Coordinate System, Central Zone, NAD 1983

The individual subfile orders describing water rights under the M-B Ditch that are amended and revised are as follows:

CHCV-003-0001, Consent Order filed June 18, 2004 (Doc. 7485) (Porter Family Trust);

CHCV-003-0002A, Consent Order filed May 18, 2005 (Doc. 7895) (Boyd Family Revocable Trust);

CHCV-003-0002B, Consent Order filed July 29, 2004 (Doc. 7531) (Dustin Boyd);

CHCV-003-0003, Consent Order filed September 3, 2004 (Doc. 7577) (Renee Martinez);

CHCV-003-0004, Consent Order filed June 30, 2004 (Doc. 7505) (Yvonne Torrez);

CHCV-003-0005B, Consent Order filed December 10, 2007 (Doc. 9052) (Dr. Pat Hale);

CHCV-003-0006, Consent Order filed December 12, 2003 (Doc. 7342) (Johnny Rael);

CHCV-003-0007, Consent Order filed February 23, 2004 (Doc. 7411) (Jeff M. Daggett, Maxine F. Daggett);

CHCV-003-0008, Consent Order filed December 12, 2003 (Doc. 7341) (Pedro & Rose Torrez Trust);

CHCV-003-0009, Consent Order filed February 23, 2004 (Doc. 7410) (Los Campos de Chama, LLC);

CHCV-003-0010, Consent Order filed October 23, 2003 (Doc. 7305) (Vigil Family Trust);

CHCV-003-0011, Consent Order filed July 24, 2006 (Doc. 8339) (Lydia J. Garcia, Napoleon R. Garcia);

CHCV-003-0012, Order Granting Default Judgment filed March 6, 2007 (Doc. 8596) (Betty M. Martin);

CHCV-003-0013, Consent Order filed September 3, 2004 (Doc. 7576) (Charles C. Hobbs);

CHCV-003-0014, Consent Order filed March 24, 2006 (Doc. 8209) (Celine M. Brown, Orrin G. Brown);

CHCV-003-0015, Consent Order filed December 12, 2003 (Doc. 7340) (Angie Valdez, Don Valdez);

CHCV-003-0016, Order Granting Default Judgment filed July 14, 2005 (Doc. 7948) (Julia A. Meston, Russell D. Meston);

CHCV-003-0017, Consent Order filed April 4, 2007 (Doc. 8612) (Matthew M. Gallegos, Robert Gallegos, Jr., Maria A. Martinez);

CHCV-003-0018, Consent Order filed July 29, 2004 (Doc. 7532) (Marvin R. Crane, Sandra A. Crane);

CHCV-003-0019A, Consent Order filed July 24, 2006 (Doc. 8340) (Carmen Gonzales, Florian Gonzales Jr.);

CHCV-003-0019B, Consent Order filed May 15, 2008 (Doc. 9197) (Carmen Gonzales, Florian Gonzales Jr.);

CHCV-003-0020, Consent Order filed June 30, 2004 (Doc. 7506) (June J. Overley Living Trust);

CHCV-003-0021, Consent Order filed March 24, 2006 (Doc. 8210) (Robert R. Kissam, Susan L. Windeck);

CHCV-003-0022, Order Granting Default Judgment filed March 5, 2009 (Doc. 9422) (Herman Candelaria, Puanani Kauaihilo, Michael J. Roundy);

CHCV-003-0023, Consent Order filed July 24, 2006 (Doc. 8341) (James W. McElhaney, Maxine McElhaney);

CHCV-003-0024, Consent Order filed August 12, 2005 (Doc. 7999) (Andrew Conder Jr., Cheryl Conder, Kenneth Conder, Peter J. Conder, Russell Fink);

CHCV-003-0025, Consent Order filed July 29, 2004 (Doc. 7527) (Elizabeth Ann Harris, Floyd Harris);

CHCV-003-0026, Consent Order filed March 6, 2007 (Doc. 8585) (Estate of Carlotta Valdez, Estate of Maximilo Valdez);

CHCV-003-0027A, Consent Order filed May 6, 2006 (Doc. 8276) (Michael Montaño, Peggy Montaño, Steve Montaño, Steven Montaño);

CHCV-003-0027B, Consent Order filed May 6, 2006 (Doc. 9187) (Michael Montaño, Peggy Montaño, Steve Montaño, Steven Montaño);

CHCV-003-0028, Order Granting Default Judgment filed March 6, 2007 (Doc. 8597) (Victoria L. Skrondahl);

CHCV-003-0029A, Consent Order filed December 12, 2003 (Doc. 7339) (Dan Russom, Mary Russom);

CHCV-003-0029B, Order Granting Default Judgment filed November 1, 2007 (Doc. 8981) (Andrew Hurd, Daniel Hurd);

CHCV-003-0030, Consent Order filed December 12, 2003 (Doc. 7338) (Randy Pettingill);

CHCV-003-0031, Consent Order filed June 18, 2004 (Doc. 7484) (Rosalie Ann Gonzalez)

CHCV-003-0032, Consent Order filed February 24, 2004 (Doc. 7408) (Estate of Juan Gonzales);

CHCV-003-0033, Consent Order filed February 23, 2004 (Doc. 7407) (Estate of Juan Gonzales);

CHCV-003-0034, Consent Order filed August 24, 2007 (Doc. 8767) (Estate of E.T. Reilly Sr.);

CHCV-003-0035, Consent Order filed November 18, 2004 (Doc. 7649) (Jose G. Salazar, Mary Salazar);

CHCV-003-0040, Consent Order filed May 4, 2006 (Doc. 8277) (Juanita Gonzales);

CHCV-003-0041, Consent Order filed September 3, 2008 (Doc. 9271) (Herman Candelaria);

CHCV-003-0042, Consent Order filed September 3, 2008 (Doc. 9269) (Herman Candelaria);

CHCV-003-0043, Order Granting Default Judgment filed March 5, 2009 (Doc. 9422) (Herman Candelaria, Puanani Kauaihilo, Michael J. Roundy);

CHCV-004-0001, Consent Order filed May 18, 2005 (Doc. 7896) (Melvin E. Kurth Jr.);

CHCV-004-0002, Consent Order filed December 12, 2003 (Doc. 7337) (Los Campos de Chama, LLC);

CHCV-004-0003, Consent Order filed December 12, 2005 (Doc. 8085) (Melvin E. Kurth Jr.);

CHCV-004-0004B, Consent Order filed June 13, 2008 (Doc. 9213) (James A. Heath, now Chama Troutstalkers, LLC, *see* Order for substitution filed April 25, 2012 (Doc. 10812)).

**IT IS SO ORDERED.**

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MARTHA VÁZQUEZ  
UNITED STATES DISTRICT JUDGE

Approved:

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LORENZO F. GARCIA  
UNITED STATES MAGISTRATE JUDGE